

Mr. President. Today, I rise on the Senate floor as a senator from a border state -- with a message from my state's proud border communities.

We will not stand by as the President threatens to shut down the government in an act of political extortion. As the President tries to force the American people to pay for his border wall -- a wall that would run right through New Mexico and through so many of the communities and ecosystems that define our state.

I am standing with Senator Heinrich and we are joining with New Mexicans all along the border and all across our state who are calling on the President to stop playing politics with our border communities, with the federal budget, and with taxpayer dollars.

New Mexico and other border states have the most at stake in this fight. And we will be heard.

Last week, we learned of a terrible tragedy along our border. On December 8th, a 7-year old girl from Guatemala -- Jakelin Caal Maquin -- died from septic shock, fever, and dehydration while in Customs and Border Protection custody. The sadness of the loss of this little girl -- coming to our country with her father in search of safety -- cannot be overstated. It is truly heart breaking.

I have called upon Secretary Nielsen, Customs and Border Protection Commissioner McAleenan, and the Office of the Inspector General to immediately and thoroughly investigate the circumstances of Jakelin's death. All facts must be brought to light so that no family faces such a tragedy again.

Jakelin and her father turned themselves in to CPB near a remote port of entry in New Mexico, Antelope Wells, which was closed at the time. By the time that Jakelin received adequate medical care, it was too late.

Instead of demanding massive resources for an ineffective wall, the President should direct the Department of Homeland Security to provide border stations and CBP officers with the resources necessary to meet the basic needs of children and other vulnerable individuals.

The Trump administration's cruel policy of delaying immigrants at commonly-used ports of entry -- for weeks and months at a time -- inevitably results in asylum seekers taking more dangerous routes in remote areas.

Instead of creating a humanitarian crisis at the border by refusing to process asylum seekers, the President should direct DHS to meet the spirit of our asylum laws -- and begin treating those fleeing persecution and violence with the dignity and respect they deserve.

This administration has failed, repeatedly, to live up to our values as a nation when it comes to immigration. Sadly, there are tragic human consequences to the administration's inhumane immigration policies.

This week -- we in Congress find ourselves in a familiar position. Once again, the President says he'll shutter the federal government unless we appropriate billions of dollars for his border wall.

This obvious political ploy -- aimed at his narrowing base -- is the same tired and hateful refrain that he's used since the day he launched his campaign for president.

The President's anti-immigrant attacks are now a staple in his political tool box. They are no surprise.

But Congress should not give in to the President's latest anti-immigration tantrum. A tantrum that is not based in reality, and that fundamentally lacks the support of the American public.

There's been a lot of talk about the border here in Washington. A lot of talk about what the border needs . . . from a President that doesn't know the first thing about our border communities.

I proudly represent a border state. A state that shares 180 miles of border with Mexico. A state that is, in many ways, defined by our border. Immeasurably strengthened by our relationships with our southern neighbor, by our immigrant heritage, and by the communities and ecosystems that dot every mile of the border.

I know our border communities. I hear the hopes and the concerns of the New Mexico families and businesses that form the fabric of those border communities.

Let there be no equivocating: New Mexico's border communities emphatically reject the President's unnecessary, ineffective, and offensive wall.

Thirty-six communities across New Mexico, California, Arizona, and Texas have passed resolutions opposing a wall along their borders.

And, poll after poll shows us that the American people, from coast to coast and from border to border, do NOT support this wall.

People in New Mexico and across the nation want humane immigration policies. Continued community ties and economic activity between Mexico and our nation. And smart border security that will actually make us safer. Not an unnecessary and ineffective wall. And not insulting attacks on Mexicans and Central Americans.

The American people reject the President's latest take-it-or-leave-it demand -- that they pay \$5 billion dollars for his wall. A wall he vowed during his campaign that Mexico would pay for. A wall that will not stop illegal immigration. A wall that would stand before all the world as a symbol of division, fear, and hostility.

There is little disagreement in the halls of Congress or among the American people that we want smart border security. That our immigration laws need to be reformed. And that we want to stop illegal drugs from coming into our country.

But we do disagree, and strongly, on how to effectively achieve those goals with limited taxpayer dollars.

The President would have us believe that hordes of dangerous criminals have our borders under siege. This is one of his countless misrepresentations to the American people.

The American people have had enough of the misinformation and blatant distortions. It's time for some facts.

The fact is, the numbers of border apprehensions are down significantly. Since the early 2000s, southern border apprehensions have dropped 81 percent. In fact, the number of apprehensions at the end fiscal year 2017 was the lowest it's been since 1971.

And we have the lowest number of undocumented immigrants in our country than we've had in over a decade. The Pew Research Center released estimates just this month that the total number of undocumented immigrants residing in the United States is far less now than since 2004. A 14 year low.

And the numbers from Mexico – people who the President insults as “rapists” and “criminals” – have decreased even more dramatically.

So who are the people coming to our southern border? Apprehensions between ports of entry consist largely of family units turning themselves in for asylum, fleeing the terror in their home countries.

They are crossing between ports in part because of DHS's obstacles to asylum at ports of entry -- including inadequate resources for staffing and infrastructure at our ports, metering individuals trying to claim asylum, and the ever-increasing Trump-manufactured wait times.

So – given the number of southern border apprehensions is at an all-time low and the makeup of our southern border crossers -- now is not the time to raid taxpayer-funded coffers for a boondoggle of a wall. Now is the time to begin talking across the aisle about how to meaningfully address the root causes of migration from Central America.

And not only that: Border walls have not been shown to effectively increase security, or to reduce smuggling or improper entry.

In 2017, the Government Accountability Office found that Customs and Border Protection could not demonstrate that border walls had any measurable impact on border security – finding that DHS had “not developed metrics for this assessment.”

As former DHS Secretary Janet Napolitano said: “Show me a 50-foot wall, and I'll show you a 51-foot ladder.”

Walls are not only offensive – they are ineffective.

While the effectiveness of the President's wall is in question, the extraordinarily high costs are not. The Department of Homeland Security estimates the cost would be \$21.6 billion dollars. The Democratic staff of the Senate Homeland Security and Governmental Affairs Committee estimates \$70 billion dollars.

And those costs are only to build the wall. Any wall would have to be maintained. Studies estimate maintenance costs could reach \$100 to \$150 million dollars a year.

As troubling: GAO concluded that DHS is not responsibly spending the funds already allocated for the wall. GAO reported that “DHS faces an increased risk that the Border Wall System Program will cost more than projected, take longer than planned, and not fully perform as expected.”

In fact, DHS blew past its September 19th deadline to submit a risk-based border security plan as the law requires. There is no accountability.

And worse yet – while the President ups his demand to \$5 billion dollars for a wall -- DHS hasn't even spent its funds for border barriers from previous years' budget.

DHS has only spent 6 percent of the funds provided on this boondoggle since 2017. It hasn't even obligated \$900 million dollars of its last \$1.6 billion appropriation. The President ignores DHS's failure to spend the money it's been given while he demands \$3.4 billion more than his own budget request. This is pure extortion. We should categorically reject the President's demand for \$5 billion dollars for the wall. And we should reject any proposal for a slush fund for the president to use to implement his anti-immigrant agenda.

Of course, Americans are no longer surprised by this administration's utter hypocrisy when it comes to fiscal responsibility.

But the President's demand for billions of unnecessary funds for his wall . . . is a particularly galling and offensive example. And it should be called out. In budget after budget, the Trump administration says we can't afford to provide for Americans' health care. To provide for environmental protection. To provide for quality education for our kids. To provide for those in our society who are struggling the most.

But the President says we can afford to throw billions and billions of dollars on a symbolic and wasteful boondoggle of a wall.

That's billions of dollars that could be spent on the priorities that New Mexicans and the American people actually value – like good jobs, good health care, and good education.

Backwards doesn't even begin to describe this administration's priorities.

The Republicans claim to be fiscal conservatives. But time and again they show themselves to be fictional conservatives. They want to spend billions on a wall that doesn't work. They pass tax-relief-for-the-wealthy, leave working and middle class Americans high and dry, and create massive deficits the American taxpayer will pay-for for years.

This is not fiscal conservatism. This is the epitome of fiscal irresponsibility.

But the wall isn't just wasteful and unnecessary. It would also do serious harm to the border region.

While a border wall won't effectively address border security -- it will disrupt border communities, hurt international trade, interfere with private property rights, and damage habitat and wildlife.

Much of the land along the border is privately owned, some for many generations. Approximately 4,900 parcels are at risk. The Trump administration is already seizing private property through eminent domain to build its wall. Homes could be confiscated, farms ruined, neighbors cut off from one another.

To build the wall, DHS has waived almost 50 laws that protect the public and the environment -- including the Endangered Species Act, the Clean Water Act, and Native American Graves Protection and Repatriation Act.

This proposed funding targets the border along the Rio Grande, which is home to a biologically diverse and rich environment. I have traveled to this area. Last winter, I canoed part of the wild and scenic Rio Grande in Big Bend National Park, along the Texas-Mexico border. This month I saw a new documentary – the River and the Wall -- that showed the stunning Rio Grande Valley and even documented part of our trip.

Adding 65 miles of border barrier through the Lower Rio Grande Valley would damage this area of profound environmental and ecological significance.

A wall harms ecosystems, disrupts wildlife migration patterns, blocks vital wildlife access to food and water, and fragments wildlife communities. These photos show the problems posed to wildlife.

Animals can't go over or through the border wall. They're stopped in their tracks. For many animals, fragmented habitat has led to their endangerment. Chopping up their territory pushes them closer to extinction.

That's the conclusion of career biologists and wildlife managers at the U.S. Fish and Wildlife Service. They warned in a draft letter to CPB that the wall threatens already endangered wildlife.

According to them, a wall is vulnerable to “catastrophic natural flood events, leaving wildlife trapped behind the wall to drown or starve.”

They recommended that CBP consider technology and other resources and mechanisms, when possible, instead of installing walls.

The Washington Post reported last week that Secretary Zinke made it known that Fish and Wildlife needed to “support the border security mission.” And so Fish and Wildlife higher-ups scrubbed the career scientists' recommendations in a final letter to CPB on the impacts of the wall.

Science has a hard time competing with politics in the Trump administration.

To sum up: The President's border wall won't have any effect on the number of migrants showing up at our borders daily. It will not deter migrants from making the dangerous journey to cross between our ports of entry, when they are fleeing from horrific violence and persecution in their home countries. It is wildly expensive. The wall hurts the communities and economies along our borders. It takes away the use and enjoyment of property from private landowners. And it jeopardizes the environment and wildlife.

So why does the President want this wall?

Its only discernible purpose is as a political symbol. An offensive and unpopular symbol.

A symbol that America no longer welcomes the “tired, poor” and “huddled masses.” That we close our doors to refugees and asylum seekers. That we fear the world, and are shrinking from our position as a beacon of hope for people everywhere.

Since the very beginning of his presidency – when he issued his first executive order that banned Muslims from traveling to the United States – the President’s immigration policies have been inhumane and cruel, and contrary to our fundamental values as a nation.

The President’s policy of separating children from their parents represented a new low in immigration policy. The images of children housed in cages, toddlers being taken from their mothers’ arms, and parents’ pleas for return of their children are unforgettable.

The incompetence of how the administration directed the family separation policy is only matched by the sheer cruelty of the policy. They didn’t know where parents and children were. Could not match families. And deported parents without their children, making it all the more difficult for reunification to occur.

The American people opposed this harsh policy by wide margins.

While the courts stopped this illegal policy -- we must not forget that there are still 147 families separated. This is unconscionable. And I will not rest until each and every family is reunited.

The President’s most recent immigration debacle is his call – just before the November 6 midterms – to send active-duty troops to the border. He wanted 15,000 troops to protect Customs and Border Protection officers and Border Patrol agents from migrants, including many women and children, seeking asylum.

Retired military leaders have charged that the President’s use of troops is “wasteful.” They worry that our military is being used for purely political purposes. Former Joint Chiefs chairman General Colin Powell summed it up by saying, “I see no threat requiring this kind of deployment.”

The President’s made-up crisis takes our active-duty troops away from their missions and preparedness training. And away from their families over the holidays.

It’s costing the American people. According to the Pentagon, this presidential stunt will cost us at least \$210 million dollars by year’s end for the 5,900 active-duty troops and 2,100 National Guard troops who’ve been there since April. And DHS just requested their stay be extended through January.

There is no president in my memory who has used division and fear as a political tool to the extent this president has. Not even close.

The President’s playbook on immigration is predictable. Every several months he dreams up a new initiative to rile his base, make sure he still has their support.

But his policies are wrong-headed, unpopular, ineffective.

His latest stunt – to shut down the federal government unless he gets his wall – is a replay. And it didn’t work the first time.

There is no art in a take-it-or-leave-it deal that shuts down the federal government. That leaves millions of workers without paychecks just before the holidays. And shuts critical services that protect the public's welfare and contribute to the economy.

It is not artful. It's inept.

It's clear from the President's public eruption last week, meeting with Leaders Schumer and Pelosi, that he will not engage in good faith negotiation with Democrats . . . and that he is "proud to shut down the government."

Recently, the nation came together to honor a statesman, and an advocate for immigration reform.

As president, George H.W. Bush signed the Immigration Act of 1990 into law. He called it "the most comprehensive reform of our immigration laws in 66 years." The act increased the number of immigrants allowed to enter the U.S. And it established the diversity visa program and family-based visas – two programs our current president disparages.

Of our immigrant community, President Bush said: "Our nation is the enduring dream of every immigrant who ever sets foot on these shores, and the millions still struggling to be free . . . this idea called America, was and always will be a new world."

President Trump's wall is a symbol of division and hostility. It is wholly contrary to our "idea called America," as the late president put it.

We must move beyond the political jockeying of government shutdown threats. The American people don't want the President to shutdown essential services – especially over a border wall that won't work, they don't support, and doesn't represent the goodness of our "idea called America."

Take it from a border state like New Mexico. We can't afford a government shutdown. And we don't need the President's wall.